

# **~2005 TOWN MEETING WARRANT & BUDGET~**

**2005**

## **TOWN MEETING**

### **WARRANT & FINANCIALS**

To the inhabitants of the Town of Milford in the County of Hillsborough, in the State of New Hampshire, qualified to vote in Town Affairs:

You are hereby notified that the Annual Meeting of the Town of Milford will be held, in accordance with "Senate Bill 2"(RSA 40:13), in said Milford, with the first (deliberative) session at the Town Hall Auditorium on Saturday, the Fifth (5<sup>th</sup>) day of February, 2005, at nine in the morning (9:00 a.m.), to transact all business other than voting, and on the Eighth (8<sup>th</sup>) day of March 2005, at the Milford Middle School Gymnasium, for the second session for voting by official ballot at the polls on all matters in the warrant as well as officers and other matters to be voted on. The polls will be open on the Eighth (8<sup>th</sup>) of March at 6:00 a.m. and will not close earlier than 8:00 p.m.

#### **ARTICLE 1 – ELECTION OF OFFICERS**

To choose all necessary officers for the following year.

#### **ARTICLE 2 – BALLOT VOTE – ZONING CHANGES**

To vote on Planning Board proposed zoning changes and amendments.

##### **Ballot Vote No. 1**

- 1. Are you in favor of the adoption of Amendment #1 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:**

*AMENDMENT #1: Amend ARTICLE III: ZONING MAP – ZONING DISTRICT CHANGES, Section 3.010, DISTRICTS, by inserting the following text:*

#### **ARTICLE III: ZONING MAP - ZONING DISTRICT CHANGES**

##### **3.010 DISTRICTS**

##### **REZONING OF THE FOLLOWING LOTS:**

8. Rezone the following parcels of land on: Bear Court, Bobbys Lane, Colburn Road, Dear Lane, Federal Hill Road, Foster Road, Fox Run Road, Heritage Way, Mountain View Court, Ponemah Hill Road, Settlement Way, Stone Court, Tarry Lane, Wallingford Road, and Wildflower Way from Residence "A" to Residence "R":

Map 48, Lot 15-1 (that portion zoned "A" only), Lots 20, 20-1, 21, 22, 23, 23-1, 24, 25, 26, 27, 28, 29, 30, 46, 47, 48, 51;

Map 53, Lots 1, 2, 2-1, 2-2, 2-3, 3, 3-1, 4, 5, 6, 6-1, 6-2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 21-1, 21-2, 21-3, 21-4, 22, 22-A, 23, 23-1, 24, 25, 29, 30, 30-1, 30-2, 31, 32, 33, 33-1, 34, 34-1, 34-2, 34-3, 34-4, 34-5, 34-6, 35, 35-1, 35-2, 35-3, 35-4, 35-5, 35-6, 35-7, 35-8, 35-9, 35-10, 35-11, 35-12, 35-13, 35-14, 35-15, 35-16, 35-17, 35-18, 35-19, 35-20, 35-21, 35-22, 35-23, 35-24, 35-25, 35-26, 35-27, 35-28, 35-29, 35-30, 35-31, 35-32, 35-33, 35-34, 35-35, 35-36, 35-37, 35-38, 35-39, 35-40, 35-41, 35-42, 35-43, 35-44, 35-45, 35-46, 35-47, 35-48, 35-49, 36, 37, 37-1, 37-2, 38, 38-1, 38-2, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 67-1, 67-2, 68, 69, 70, 70-1, 71, 72, 79-1, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, PSNH R.O.W., 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106;

Map 56, Lots: 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, PSNH R.O.W. , 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43.

## **Ballot Vote No. 2**

### **2. Are you in favor of the adoption of Amendment #2 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:**

*AMENDMENT #2: Add a new definition to ARTICLE IV – DEFINITIONS as follows:*

*Height – the height of a building or structure shall mean the vertical distance from the average elevation of the finished grade within five feet of the building or structure to the highest point of the building or structure.*

*And:*

*Add the following new sections to ARTICLE V: ZONING DISTRICTS AND REGULATIONS:*

#### **In Sec. 5.020 RESIDENCE “A” DISTRICT:**

##### **5.022 ACCEPTABLE USES AND YARD REQUIREMENTS BY SPECIAL EXCEPTION**

- K. Building and structure height greater than allowed in 5.026.A and B.

##### **5.026 HEIGHT REQUIREMENTS**

- A. The maximum height of a building or structure in the Residence “A” District shall be thirty-five (35) feet, except as noted in B. below.
- B. The maximum height of school and municipal buildings or structures in the Residence “A” District shall be forty-five (45) feet.
- C. A Special Exception shall be required for heights greater than allowed in either A. or B. above.

#### **In Sec. 5.030 RESIDENCE “B” DISTRICT:**

##### **5.032 ACCEPTABLE USES AND YARD REQUIREMENTS BY SPECIAL EXCEPTION**

- L. Building and structure height greater than allowed in 5.038.A and B.

##### **5.038 HEIGHT REQUIREMENTS**

- A. The maximum height of a building or structure in the Residence “B” District shall be thirty-five (35) feet, except as noted in B. below.
- B. The maximum height of school and municipal buildings or structures in the Residence “B” District shall be forty-five (45) feet.
- C. A Special Exception shall be required for heights greater than allowed in either A. or B. above.

#### **In Sec. 5.040 RESIDENCE “R” DISTRICT:**

##### **5.042 ACCEPTABLE USES BY SPECIAL EXCEPTION**

- N. Building and structure height greater than allowed in 5.047.A and B.

##### **5.047 HEIGHT REQUIREMENTS**

- A. The maximum height of a building or structure in the Residence “R” District shall be thirty-five (35) feet, except as noted in B. below.
- B. The maximum height of school and municipal buildings or structures in the Residence “R” District shall be forty-five (45) feet.
- C. A Special Exception shall be required for heights greater than allowed in either A. or B. above.

#### **In Sec. 5.050 COMMERCIAL DISTRICT:**

##### **5.052 ACCEPTABLE USES AND YARD REQUIREMENTS BY SPECIAL EXCEPTION**

- E. Building and structure height greater than allowed in 5.058.A and B.

##### **5.058 HEIGHT REQUIREMENTS**

- A. The maximum height of a building or structure in the Commercial District shall be forty (40) feet, except as noted in B. below.
- B. The maximum height of school and municipal buildings or structures in the Commercial District shall be forty-five (45) feet.
- C. A Special Exception shall be required for heights greater than allowed in either A. or B. above.

**In Sec. 5.060 INDUSTRIAL DISTRICT: (Note- there is no separate special exception section for this district.)**

**5.066 HEIGHT REQUIREMENTS**

- A. The maximum height of a building in the Industrial District shall be forty (40) feet, except as noted in B. below.
- B. The maximum height of school and municipal buildings or structures in the Industrial District shall be forty-five (45) feet.
- C. A Special Exception shall be required for heights greater than allowed in either A. or B. above.

**In Sec. 5.070 LIMITED COMMERCIAL-BUSINESS DISTRICT:**

**5.072 ACCEPTABLE USES AND YARD REQUIREMENTS BY SPECIAL EXCEPTION**

- E. Building and structure height greater than allowed in 5.077.A and B.

**5.077 Height Requirements**

- A. The maximum height of a building or structure in the Limited Commercial-Business District shall be thirty-five (35) feet, except as noted in B. below.
- B. The maximum height of school and municipal buildings or structures in the Limited-Commercial-Business District shall be forty-five (45) feet.
- C. A Special Exception shall be required for heights greater than allowed in either A. or B. above.

**In Sec. 5.080 INTEGRATED COMMERCIAL-INDUSTRIAL DISTRICT:**

**5.082 ACCEPTABLE USES BY SPECIAL EXCEPTION**

- E. Building and structure height greater than allowed in 5.087.A and B.

**5.087 HEIGHT REQUIREMENTS**

- A. The maximum height of a building or structure in the Integrated Commercial-Industrial District shall be forty (40) feet, except as noted in B.
- B. The maximum height of school and municipal buildings or structures in the Integrated Commercial-Industrial District shall be forty-five (45) feet.
- C. A Special Exception shall be required for heights greater than allowed in either A. or B. above.

**Ballot Vote No. 3**

- 3. Are you in favor of the adoption of Amendment #3 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:**

*AMENDMENT #3: Replace current SECTION 8.024 with section as stated:*

*Delete the following: 8.024 (DELETED 3/12/91)*

*And replace with:*

**8.024 INTERNATIONAL RESIDENTIAL CODE**

The International Residential Code, 2003 Edition, including Appendix Chapters, shall govern and regulate the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not

more than three stories in height with separate means of egress in the Town of Milford; said Code also provides for the issuance of permits and collection of fees.

#### **Ballot Vote No. 4**

#### **4. Are you in favor of the adoption of Amendment #4 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:**

*AMENDMENT #4: Add ARTICLE XII INTERIM GROWTH MANAGEMENT*

#### **ARTICLE XII INTERIM GROWTH MANAGEMENT**

##### **12.001 AUTHORITY**

This Interim Growth Management Regulation is enacted as a section of the Town of Milford's Zoning Ordinance pursuant to the authority granted by RSA 674:23.

##### **12.002 FINDINGS**

The Planning Board has determined that, and the Town hereby finds that, this interim regulation on residential development in Milford is necessary on the basis of unusual circumstances requiring prompt attention, including the following:

A. **The Town of Milford is facing severe residential development pressure.** From January 1, 2000 through January 1, 2004, the Town's annual growth rate for single family homes was 3.1%, compared to an average of 2.6% for the other 12 Nashua Regional Planning Commission (NRPC) communities. For the same period, the Town's multi-family housing grew at an annual rate of 2.2%. Milford's percentage of multi-family housing units of its total housing units continued to far exceed the NRPC average (44.1% of total vs. 15.7% for the other 12 communities). Only Nashua has a greater percentage of multi-family housing units. From January 1, 2000 through October 1, 2004, the Milford Planning Board received development applications and/or informal approaches relating to the proposed development of more than 1,000 additional housing units (single-family, multi-family, and senior housing).

B. **Unless there is a substantial downturn in the overall housing market, Milford's unusually high rate of residential development is likely to continue.** Improvements to the main traffic arteries linking Southern New Hampshire to Massachusetts (Route 3 and Route 93) will likely speed up regional integration, making Milford more accessible as a residential "commuter" community. There is a commonly held perception that much of the population growth in southern New Hampshire is due to a lesser tax burden than neighboring Massachusetts, causing in-migration into the southern New Hampshire tier. Milford, in comparison to many communities in the region, has lower land costs, high-density zoning districts served by town water and sewer (which can accommodate multi-family housing) and a more streamlined development process, which results in lower-cost housing. Milford has increased its attractiveness for residential development by seeking to maintain a traditional small-town feel while at the same time offering a full complement of stores, restaurants, health care and other services. The preliminary findings of an ongoing buildout study for the Town indicate that there is a very substantial supply of land to accommodate the continued demand for residential development, with up to 6000+ new housing units able to be built under current zoning. This maximum buildout would more than double the current number of housing units in Milford.

C. **Milford increasingly stands out as a target for unusual residential development within the region because, in contrast to the majority of surrounding communities, Milford has not yet adopted a growth management policy.** In New Hampshire, 40 towns, most of them in the Southern tier and including eight towns in Hillsborough County, have adopted growth management measures. Six of the twelve towns in the NRPC region have implemented growth management ordinances. Of the seven towns directly abutting Milford, four have adopted growth management ordinances and another recently proposed a growth management measure. Milford will likely come under even greater development pressure unless the Town also takes steps to catch up with its neighbors and address the issues of growth.

D. **Rapid and unmanaged residential development threatens the balance of community interests reflected in the Master Plan.** The 1999 Master Plan update set the Town's planning philosophy

as “a pro-active, organized and deliberate approach to enhance and protect the character and resources of the Town and Community for both present and future”. Rapid and unmanaged residential development is inconsistent with this philosophy and threatens adverse effects on the Town’s character and sense of community as well as increased burdens on already overstretched facilities, increased congestion, adverse effects to the tax base and increased taxes, and a decrease in the quality of life. Such growth may also threaten the balance between development and the preservation of open space, wetlands, agriculture, historical features and scenic vistas that form an important part of Milford’s character. The draft buildout study indicates that approximately 8800 acres (approximately 62% of the Town’s residentially-zoned land) remains available for residential development. Development of this land in accordance with current projections would create up to 6800 new residential units and would more than double the Milford’s population to more than 30,000 residents. This huge scale of development, if left unmanaged, will almost certainly result in fundamental and unplanned changes to the character of Milford. Outlying undeveloped areas, even without the necessary infrastructure (roads and utilities) in place, are nonetheless under increased development pressure.

**E. There are several very large undeveloped parcels of residentially-zoned land in Milford that, if developed, could result in “shocks” to the Town with extreme pressure on facilities, services and quality of life.** These parcels, particularly if two or more of them are linked together, could support developments of up to several hundred new homes or residential units. Such massive developments could put an immediate and unworkable strain on community facilities. For example, the preliminary findings of an ongoing cost of services study indicate that a single large development of 300 new residential units would likely, by itself, cause an increase of 10% or more in the enrollment in the Milford schools, which would require a crisis program to increase school facilities.

**F. Development pressures in Milford threaten public facilities and services that are already strained.** A comprehensive facilities assessment and development plan for the Town has yet to be prepared, but there are important areas where public facilities are clearly inadequate to meet current demand let alone demand generated by future residential growth. For example, based on Fall 2004 enrollment Milford’s Middle School is operating at 25% over-capacity. There is an extreme shortage of classroom space. The Milford School Board has been struggling for the last five years to present an acceptable solution to Town voters to alleviate overcrowding at the Middle School. This has not been successful even though the pressures from enrollments and program needs continue to increase. The School Board has stated that a plan to resolve the space problems at the Middle School must be in place no later than the 2006-2007 school year.

**G. Unmanaged residential development may add to Milford’s disproportionately high property tax burden.** The 1999 Master Plan update identified that growth in residential development in Milford can be substantially tax-negative (i.e., the taxes paid by owners of new homes do not, on average, cover the cost of town and school services the residents in these homes consume). Milford’s property taxes are high on an absolute basis, high in comparison to the surrounding towns and have grown rapidly. From 2000 to 2004, property taxes increased 22%, with the town services component of the tax bill up 30%. The overall increase in property taxes is almost double the rate at which New Hampshire personal incomes grew during the same period, which means the “tax bite” (taxes as a percent of income) has likely worsened substantially for the average Milford resident. For a family living in a home assessed at \$175,000 at the start of the period, taxes jumped more than \$1,000 over the four years and are now approximately 2% of current market value (i.e., in a single year a family must pay 2% of the current market value of their home in property taxes). Residential growth can have an important impact on property taxes, and the Town has launched, but not completed, a study to measure and assess the extent to which new residential development may create an additional tax burden for Milford residents.

**H. The Planning Board needs “breathing room” to develop and propose to the Town a carefully considered and well-designed growth management policy that will balance community interests and take regional interests into account.** Because of the large number of subdivision and site plan applications that the Planning Board must consider each month, there has been little time left for the Planning Board to focus pro-actively on developing a growth management policy for the Town. During 2003 and 2004, the Planning Board, assisted by the Town’s Planning Department, began the process of assembling the data necessary to analyze the Town’s growth trends in detail, make comparisons with the

surrounding communities, and help define the directions a growth management policy for the Town might take. During 2004 the Planning Board launched a comprehensive buildout study for the Town and commissioned a cost of services study to determine the extent to which new residential development may increase the tax burden on residents. Good progress has been made, but an additional year is needed for the Planning Board to complete this work (data development, analysis, buildout study, cost of services study, and potentially Master Plan update) and develop a growth management policy that can be presented to the Town in the form of specific proposed zoning amendments that appropriately take into account and balance community interests and regional interests and preserve the character and natural resources of the Town.

I. **This Interim Growth Management Regulation is necessary to address the unusual development pressure and other circumstances facing the Town and to give the Planning Board a temporary period, defined below, to develop a growth management policy.** Because the Town continues to face unusual development pressure in the circumstances described above, this Interim Growth Management Regulation is necessary to maintain a level of management of new residential growth during the period the Planning Board is completing its work on an overall growth management policy.

### **12.003 PURPOSES**

The purposes of this Regulation are:

- a. To promote the orderly development of land within the Town and to promote the public health, safety and welfare of the residents of the Town.
- b. To allow time to complete the development and analysis of data and the major studies relating to the Town's growth that were launched by the Planning Board in 2004, including the cost of services study and the buildout study.
- c. If necessary or appropriate in the judgment of the Planning Board, to allow time to complete an update of the key portions of the Town's Master Plan that relate to issues arising from growth and the timing of development, including the sections on vision, land use, community character and facilities
- d. If necessary or appropriate in the judgment of the Planning Board, to allow time to complete the necessary schedules and analyses so that additional categories of impact fees may be collected from new developments to help offset the cost of new facilities that accommodate the Town's growth, such as additions or improvements to the schools.
- e. To allow time for the Planning Board, on the basis of the items referred to above and additional data, information and analyses, to develop a growth management policy that will be set forth in specific proposed zoning amendments that are intended to assess and balance community development needs, consider regional development needs and regulate and control the timing of development in the Town of Milford.

### **12.004 RESIDENTIAL SUBDIVISIONS AND RESIDENTIAL SITE PLAN REVIEW**

A. During the period when this Interim Growth Management Regulation is in effect, the Planning Board shall not entertain or accept preliminary discussions or applications for any residential subdivision or for any residential site plan review, except as provided in paragraph B. below.

B. The provisions of paragraph A. above shall not apply to:

1. Lot line adjustments as defined in Section 3.011 of the Town's Subdivision Regulations (i.e., exchange or transfer of land between existing lots without the creation of a new lot).
2. Minor subdivisions as defined in Section 3.012 of the Town's Subdivision Regulations (i.e., the creation of not more than two new lots in addition to an existing lot from which the subdivision is made), provided that (1) the applicant has owned the lot being subdivided for at least one year and (2) the applicant makes a binding commitment not to further subdivide any of the lots involved in the subdivision during the effective period of this Interim Growth Management Regulation.
3. Developments which have been presented to the Planning Board after December 1, 2003 and prior to December 1, 2004, during a regular meeting and with notification of abutters, as part of

preliminary subdivision review or preliminary site plan review prior to the formal acceptance of the subdivision or site plan application.

C. For the avoidance of doubt, the provisions of paragraph A. above shall not apply to non residential-commercial or industrial development.

#### **12.005 BUILDING PERMITS NOT LIMITED**

A. This Interim Growth Management Regulation shall affect the issuance of building permits only for those lots or sites that are subject to paragraph A. of Section 12.004 (i.e., lots or sites that require subdivision or site plan approval, are not exempted by paragraph B. of Section 12.004 and are not grandfathered as described in paragraph B. below).

B. For the avoidance of doubt, this Regulation will not affect the issuance of building permits for (1) lots of record shown by deed prior to the effective date of this Regulation, (2) lots included on subdivision plans recorded prior to the effective date of this Regulation, (3) lots or sites on any subdivision or site plan application which has been accepted by the Planning Board prior to the effective date of this Regulation, and (4) lots or sites on any subdivision or site plan that has been approved by the Planning Board prior to the effective date of this Regulation and remains in compliance with RSA 674:39.

#### **12.006 ADMINISTRATIVE PROCEDURES**

The Planning Board is hereby authorized to establish such administrative procedures, if any, as the Planning Board may deem necessary or appropriate to implement this ordinance. All such procedures shall be posted.

#### **12.007 APPEALS AND VARIANCES**

Appeals and variances shall be handled in accordance with the Town of Milford Zoning Ordinance.

#### **12.008 CONFLICTS**

Where the provisions of this Regulation may conflict with the provisions of any other ordinance or regulation, the more restrictive provisions which impose the higher standard shall control.

#### **12.009 SEVERABILITY**

Should any part of this Regulation be held invalid or unconstitutional by a court, such holding shall not affect, impair or invalidate any other part of this Regulation, and to such end, all articles, sections and provisions of this Regulation are declared to be severable.

#### **12.010 ADOPTION AND AMENDMENT**

This Interim Growth Management Regulation may be adopted or amended in accordance with the procedures set forth in RSA 674:23.

#### **12.011 EFFECTIVE DATE**

This Interim Growth Management Regulation shall be effective from the date of posting of this Regulation (December 8, 2004) and, if adopted by the Town, shall remain in effect until 11:59 p.m. on March 7, 2006.

### **APPENDIX**

RSA 674:23 Growth Management; Interim Regulation

I. In unusual circumstances requiring prompt attention and for the purpose of developing or altering a growth management process under RSA 674:22, or a master plan or capital improvements program, a ... town ... may adopt an ordinance imposing interim regulations upon development as provided in this section.

a. An interim regulation may be proposed by the planning board if it determines that the requirements of paragraph I exist and makes findings of fact so indicating. Any such proposal shall be submitted to the local legislative body as a zoning ordinance and shall be

subject to all procedures and provisions relative to the enactment of zoning ordinances except that:

- b. There shall be at least one hearing on the interim regulation held by the planning board at which parties in interest and citizens shall have an opportunity to be heard. At least 10 days' notice of the time and place of the hearing shall be published in a paper of general circulation in the municipality, and a legal notice of the hearing shall also be given in accordance with RSA 675:7. ...
- II. The local legislative body shall act upon the proposed interim regulation not later than 90 days after the posting of the notice for the public hearing under subparagraph (a).
- III. An interim regulation adopted under this section shall expire at the earliest of the following occurrences: one year after its adoption by the local legislative body; such earlier time as specified in the ordinance; or upon the effective date of an ordinance adopted under RSA 674:22 which addresses the unusual circumstances.

### **Article 3 - Mile Slip Road Land Purchase - \$0**

To see if the Town will vote to raise and appropriate the sum of Two Million Three Hundred Thousand Dollars (\$2,300,000) to purchase four hundred fifty-two (452) acres, more or less, of undeveloped land at the southern end of Mile Slip Road, Map 50, Lot 9 and Map 55 Lots 1-5, and to authorize the Selectmen to raise this appropriation by borrowing not more than Two Million Three Hundred Thousand Dollars (\$2,300,000) under the Municipal Finance Act, RSA 33, and to issue bonds, bond anticipation notes, or notes therefore, and to determine the rate of interest thereon, to be repaid from general taxation, and to authorize the Selectmen to contract for and expend any Federal and/or State aid that may be available for this purchase, or take any other action relative thereto. This is a twenty (20) year bond issue. The Conservation Commission supports this Article. The Board of Selectmen supports this Article (4/1). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32.

Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty (60%) percent affirmative vote to pass. This is a 20-year bond issue and this Article does not impact the tax rate until 2006 and will then have an **estimated tax impact of 28 cents in the first year (2006) and a decreasing tax impact in successive years.**

### **ARTICLE 4 – Holland Water Tank - \$0**

To see if the Town will vote to raise and appropriate the sum of One Million Six Hundred Thousand Dollars (\$1,600,000) for the installation of a 1.35 million gallon pre-stressed concrete water storage tank and associated 4500 linear feet of 12 inch water main extension, replacements and connections to be located on Town-owned land near Osgood Road, on Map 41, Lot 32, and to allow the Selectmen to raise this appropriation by borrowing One Million Six Hundred Thousand Dollars (\$1,600,000) under the Municipal Finance Act, (RSA 33) and to issue bonds, bond anticipation notes, or notes therefore, and to determine the rate of interest thereon, to be *repaid from the water users* provided that such bonds or notes shall be the general obligation of the Town, and to authorize the Selectmen to contract for and expend any Federal and/or State aid that may be available for this project and to authorize the Selectmen to take all other necessary action to carry out this project. The Board of Selectmen support this Article (3/2). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32.

Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty (60%) percent affirmative vote to pass. This is a 20-year bond issue and this Article and will have an **estimated tax impact of NO cents because it will be paid by the water users.**

### **Article 5 - Development of Kaley Park - \$47,955**

To see if the Town will vote to raise and appropriate Two Hundred Fifty Thousand Dollars (\$250,000) for Phase I construction of the General Frank E. Kaley Park community park and recreation facility (work associated with Phase I includes construction of one recreation field) and necessary appurtenances (including but not limited to fencing, utilities and parking areas) and park access including construction of a road from the St. Joseph's Medical Center property into the field area of the facility, and to authorize the Selectmen to raise this appropriation by borrowing not more



than Two Hundred Eighteen Thousand Dollars (\$218,000) under the Municipal Finance Act, RSA 33, and to issue bonds, bond anticipation notes, or notes therefore, and to determine the rate of interest thereon, to be repaid from general taxation, and to authorize the Selectmen to contract for and expend any Federal or State aid that may be available for this purchase, or take any other action relative thereto. Approximately Thirty-Two Thousand Dollars (\$32,000) of developer donations will be used to offset the cost of the project and reduce the amount to be borrowed to Two Hundred Eighteen Thousand Dollars (\$218,000). Further, to see if the Town will raise and appropriate the sum of Forty-Seven Thousand Nine Hundred Fifty-Five Dollars (\$47,955) for the first year payment, or take any other action relative thereto. The Recreation Commission supports this article. The Board of Selectmen supports this Article (3/2). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32.

Note: As part of this Article is for issuance of long-term debt, this vote requires, under State law, sixty (60%) percent affirmative vote to pass. This is a 5-year note and this Article will have an **estimated tax impact of 6 cents each year for five years.**

#### **ARTICLE 6 – Privatization of the Ambulance Service - \$0**

To see if the Town will vote to enter into a multi-year agreement with Rockingham Regional Ambulance Inc. to provide emergency ambulance services to the Town of Milford beginning in 2005, to disband the Milford Ambulance Service and to dispose of the assets of the Milford Ambulance Service (two ambulances and associated emergency response equipment), on such terms and conditions as are acceptable to the Board of Selectmen, or take any other action relative thereto. Rockingham Regional Ambulance Service Inc. has proposed to enter into a five (5) year agreement with three five-year extensions for a total of twenty (20) years, with the Town of Milford to provide two full-time paramedic-level ambulances which would be located in Milford and staffed by two full-time Emergency Medical Technician paramedics and two full-time Emergency Medical Technicians intermediates (EMT-I's) twenty-four hours per day, seven days per week. The cost would be \$195,000 for the first year, \$165,000 for the second year, \$125,000 for the third year, \$75,000 for the fourth year and \$0 for the fifth year, plus the Town would be required to give the ambulances and the equipment of the Milford Ambulance Service to Rockingham Regional Ambulance Inc. and the Town would be required to annually bear the cost of the performance and payment bonds which Rockingham Regional Ambulance Inc. would be required to provide to the Town (at a cost of approximately \$12,000). The agreement would provide for three additional five-year renewal options, for a total of twenty years, each at zero (\$0) subsidy, each requiring the Town to annually bear the cost of the performance and payment bonds which Rockingham Regional Ambulance Inc. would be required to provide to the Town. The cost for the subsidy and performance and payment bonds incurred in 2005 will be expended from the General Fund Operating Budget from which amount the Milford Ambulance Service had been funded, but which will not be required for that purpose upon passage of this article. The Board of Selectmen supports this Article (3/2). The Budget Advisory Committee vote on this Article was a tie. This is a Special Warrant Article in accordance with RSA 32. This article has an **estimated tax impact of NO cents** and recognizes a savings over the first five years of approximately \$1,682,000 and of approximately \$320,000 each year thereafter.

#### **Article 7 – Water and Wastewater Commissioners - \$0**

To see if the Town will vote to establish a Board of Water and Wastewater Commissioners in accordance with RSA 38-C which shall consist of three (3) elected commissioners each having a term of three (3) years in accordance with RSA 38-C:2, and to vest in the Commissioners the authority and responsibility of construction, management, control and direction of the water works and wastewater works as more particularly described in RSA 38 and RSA 149-I, with all funds being handled in accordance with applicable law, and, further, to set the compensation of each of the commissioners at Five Hundred Dollars (\$500) annually, half to be paid from the Water Fund and half to be paid from the Wastewater Fund, such amounts as raised in this article to be incorporated into the Water Fund and Wastewater Fund Operating Budgets, or take any other action relative thereto. This article is recommended by the Water and Sewer Study Committee established by a vote of the 2004 Town Meeting. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports the Article. This is a Special Warrant Article in

accordance with RSA 32. This article has an **estimated tax impact of NO cents because it is paid for by the water and wastewater users.**

#### **ARTICLE 8 - Wastewater Treatment Operating Budget - \$1,602,587**

To see if the Town will vote to raise and appropriate the sum of \$1,602,587 (One Million, Six Hundred Two Thousand, Five Hundred Eighty-Seven Dollars) to operate and maintain the Wastewater Treatment Facility and the Sanitary Sewer Collection System, said appropriation to be offset by income received from wastewater users charges of an equal amount, or take any other action relative thereto. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Warrant Article in accordance with RSA 32 and is **paid for by the wastewater user fees.**

#### **ARTICLE 9 - Water Department Operating Budget - \$1,082,595**

To see if the Town will vote to raise and appropriate the sum of \$1,082,595 (One Million Eighty-Two Thousand, Five Hundred Ninety-Five Dollars) to operate and maintain the Water Department, said appropriation to be offset by income received from the water users charges of an equal amount, or take any other action relative thereto. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Warrant Article in accordance with RSA 32 and is **paid for by the water user fees.**

#### **ARTICLE 10 - Operating Budget - \$10,659,647**

Shall the Town of Milford raise and appropriate, as an operating budget not including appropriations by Special Warrant Articles and other appropriations voted separately, the amounts set forth on the budget posted with the Warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Ten Million, Six Hundred Fifty-Nine Thousand Six Hundred Forty-Seven Dollars (\$10,659,647)? Should this Article be defeated, the operating budget shall be Ten Million Three Hundred Thirty-Six Thousand Nine Hundred Forty-Six Dollars (\$10,336,946) which is the same as last year, with certain adjustments required by previous actions of the Town, or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. The Board of Selectmen supports this 2005 Operating Budget Article (5/0). The Budget Advisory Committee supports this Operating Budget Article.

#### **Note:**

- The budget reflects a 2 ½ % increase in salary lines for non-union staff.
- There is a increase of approximately \$30,000 in the legal budget for the legal action the Town is pursuing against CLT on the 2000 revaluation, union issues, and debt issuance fees,
- There is \$50,000 in the Police Department Budget for the purchase of two new cruisers to replace two high-mileage cruisers in accordance with the cruiser replacement policy.
- The cost of dispatch services from Milford Area Communication Center (MACC) went up approximately \$100,000 due to the fact that Amherst and Lyndeborough are no longer members and the remaining members must absorb the full costs of operating the Center.
- The Information Systems budget includes the addition of \$55,000 for a contract to provide technical and operational support to the one-man IS department which is exceedingly over-taxed at present.
- The budget reflects a new line item for PEG access operations funded at \$27,000 – for the management and operation of cable television channel(s) for P(ublic) E(ducation) and G(overnment) programming. These programs will be available to all Adelphia cable television rate payers as part of the basic rate plan.

(The listing below is for your budget review process. It is depicted in the Town Warrant and Report for your information but will not be on the March Ballot.)

DEPARTMENT	2004 BUDGET	2004 EXP/ENC	2005 REQUESTED	2005 BAC
Board of Selectmen	\$50,118	\$52,060	\$54,217	
Administration	153,676	146,863	\$179,708	
Moderator	575	546	\$575	
Boards & Commissions	5,600	1,341	\$32,600	
Town Clerk	91,718	77,721	\$90,417	
Voter Registration	15,426	15,545	\$9,706	
Finance	141,436	137,588	\$154,992	
Assessing	139,472	133,111	\$133,158	
Tax Collector	85,994	74,786	\$64,804	
Information Systems	226,150	208,373	\$252,636	
Legal Services	143,151	133,027	\$179,300	
Human Resources	56,741	55,475	\$55,079	
Employee Benefits	1,578,397	1,499,756	\$1,772,522	
Planning	177,405	174,609	\$170,113	
Zoning	4,208	3,324	\$4,276	
General Gov Buildings	170,338	173,533	\$203,707	
Cemeteries	146,285	128,621	\$99,962	
Insurance	98,860	95,151	\$111,819	
Police	1,703,010	1,587,759	\$1,739,356	
Ambulance	495,886	480,115	\$472,455	
Fire	365,736	368,921	\$392,021	
Building and Health	136,313	134,445	\$134,187	
Emergency Management	20,000	21,160	\$13,644	
Other Public Safety	368,616	371,521	\$471,563	
Highway Administration	82,624	77,610	\$110,693	
Highways & Streets	897,140	822,741	\$834,147	
Street Lighting	60,400	68,773	\$50,400	
Solid Waste Disposal	713,435	685,423	\$678,769	
Welfare - Administration	33,423	32,327	\$33,686	
Welfare - Direct Assistance	176,500	201,590	\$186,000	
Other Health & Welfare	9,899	9,899	\$10,048	
Parks Maintenance	132,212	115,271	\$114,517	
Recreation	64,576	52,015	\$93,388	
Library	564,588	564,588	\$558,225	
Conservation	14,130	14,130	\$14,228	
Other Culture & Recreation	23,000	23,000	3,000	
Debt Service	1,050,121	1,045,413	1,179,729	
<b>TOTAL</b>	<b>\$10,197,159</b>	<b>\$9,788,131</b>	<b>\$10,659,647</b>	<b>\$10,659,647</b>

(UNAUDITED)

#### ARTICLE 11 – Interest on Police Facility Bond - \$0

To see if the Town will vote to raise and appropriate the sum of Sixty Thousand Dollars (\$60,000) for the new police facility project, the said funds to come from 12/31/04 Capital Project Fund unreserved fund balance (approximately Twenty Thousand Dollars (\$20,000) from interest earned in 2004 on the bond proceeds from the new police facility project), and from the interest to be earned in 2005 on the bond proceeds from the new police facility project (approximately Forty Thousand Dollars (\$40,000) ), or take any other action relative thereto. Voting yes on this Article will allow the interest on the bond to be used on the police facility. The Police Facility Design and Building Committee supports this article. The Board of Selectmen supports this Article (5/0). The

Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This article has an **estimated tax impact of NO cents.**

#### **ARTICLE 12 – 2005 Dump Truck with Plow and Sander - \$24,000**

To see if the Town will vote to authorize the Board of Selectmen to enter into a five (5) year lease-purchase agreement, subject to a fiscal funding clause which will protect the town in the event of non-appropriation, for the purpose of lease-purchasing a 2005 dump truck with plow and sander assembly for the Highway Department which will replace a 1987 Ford dump truck with plow and sander, and to raise and appropriate the sum of (Twenty-Four Thousand Dollars (\$24,000) for the first years' payment for this purpose, and further to authorize the disposition of the 1987 Ford dump truck by sale or other means as the Selectmen may determine, or take any other action relative thereto. The approximate purchase price of this vehicle is One Hundred Twenty Thousand Dollars (\$120,000). The approximate financed price of this vehicle is One Hundred Thirty-Two Thousand Dollars (\$132,000). If this Article passes, subsequent year's payments will be included in the Operating Budget. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Warrant Article in accordance with RSA 32. This Article has an **estimated tax impact of 3 cents.**

#### **ARTICLE 13 – South Street Railroad Crossing - \$40,000**

To see if the Town will vote to raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000) for the purpose of replacing the South Street railroad crossing, including drainage, road, sidewalk and curbing improvements to South Street, and furthermore to accept Federal and/or State funding of One Hundred Sixty Thousand Dollars (\$160,000), with the balance of Forty Thousand Dollars (\$40,000) to be raised by general taxation, or take any other action relative thereto. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Warrant Article in accordance with RSA 32. This will be a non-lapsing appropriation in accordance with RSA 32:7, VI and will not lapse until the improvements are completed or by December 31, 2009, whichever is sooner. This Article has an **estimated tax impact of 5 cents.**

#### **ARTICLE 14 - Reinstatement of Library Hours - \$9,810**

To see if the Town will vote to raise and appropriate the sum of Nine Thousand Eight Hundred Ten Dollars (\$9,810) for wages and benefits for the purpose of reinstating four (4 ) hours per week of regular public library service for a period of thirty-nine (39) weeks, or take any other action relative thereto. This represents an annual estimated cost of Twelve Thousand Dollars (\$12,000) in the subsequent year. Upon approval of this Article, said cost allocation is to be transferred to the general operating budget. By request of the Library Trustees. The Board of Selectmen supports this Article (3/2). The Budget Advisory Committee supports this Article. This is a Special Warrant Article in accordance with RSA 32. This Article has an **estimated tax impact of 1 cent.**

#### **ARTICLE 15 – Teamsters Union Collective Bargaining Agreement (2004-2005) - \$52,074**

To see if the Town will vote to approve the cost items included in the Teamsters' Union Collective Bargaining Agreement (CBA) reached between the Board of Selectmen and Local 633 of the International Brotherhood of Teamsters for contract year 2004-2005 (1 April – 31 March) which calls for the following increases in wages, benefits, new cost items and other costs attributable to this Agreement, and to further raise and appropriate the sum of Fifty-Two Thousand Seventy-Four Dollars (\$52,074). Said sum represents the additional costs over those of the current appropriation at staffing levels paid in the expired Agreement, and upon approval of this Article, said cost allocation is to be transferred to the operating budgets of the appropriate funds, or take any other action relative thereto. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This Article has an **estimated tax impact of 5 cents.**

## COST ITEMS

<u>General Fund</u>	<u>2004</u>	<u>2005</u>	<u>Totals</u>
Wages	\$ 14,814	\$19,076	\$33,890
Benefits	2,822	3,633	6,455
Other Costs	-	-	-
	=====	=====	=====
Totals	\$ 17,636	\$22,709	\$40,345
 <u>Water Fund</u>	 <u>2004</u>	 <u>2005</u>	 <u>Totals</u>
Wages	\$ 2,915	\$ 4,948	\$ 7,863
Benefits	555	943	1,498
Other Costs	-	-	-
	=====	=====	=====
Totals	\$ 3,470	\$ 5,891	\$ 9,361
 <u>Sewer Fund</u>	 <u>2004</u>	 <u>2005</u>	 <u>Totals</u>
Wages	\$ 926	\$ 1,063	\$ 1,989
Benefits	176	203	379
Other Costs	-	-	-
	=====	=====	=====
Totals	\$ 1,102	\$ 1,266	\$ 2,368
 Grand Totals	 \$ 22,208	 \$29,866	 \$52,074

### ARTICLE 16 - Recreation Revolving Fund - \$0

To see whether the Town will vote to amend the terms of the Recreation Revolving Fund, created by passage of Article 12 at the Annual Town Meeting of March 1996, and to authorize the Recreation Director, subject to the approval of the Board of Selectmen, to expend said monies for any purpose consistent with the purpose and intent of RSA 35-B. The Board of Selectmen supports this Article (3/2). The Budget Advisory Committee does not support this Article. The Recreation Commission does not support this article. This is a Special Article in accordance with RSA 32. This article has an **estimated tax impact of NO cents**.

### ARTICLE 17 – Social Services - \$25,000

To see if the Town will vote to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000) for the purpose of providing social service funding for Milford residents by the following agencies, or take any other action relative thereto. The Board of Selectmen supports this Article (3/2). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This Article has an **estimated tax impact of 3 cents**.

- American Red Cross – Greater Nashua and Souhegan Valley Chapter - \$2,000
- Bridges - \$1,000
- Community Council - \$2,000
- Home Health & Hospice Care - \$1,500
- Keystone Hall - \$2,000
- Milford Regional Counseling Services, Inc. - \$2,230
- Nashua Area Health Center - \$2,230
- Nashua Children's Home - \$1,500
- Nashua Soup Kitchen and Shelter, Inc. – 2,230
- Souhegan Valley Boys & Girls Club- \$2,125
- Souhegan Home & Hospice Care - \$2,085
- Souhegan Valley Resources - \$2,000
- St. Joseph Community Services, Inc. - \$2,100

### ARTICLE 18 - DO-IT Operating Budget Support - \$15,000

To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000) for the purpose of continued partial funding for community and economic development programs in and around downtown administered by the Milford Main Street Program Downtown Ongoing Improvement Team (DO-IT), or take any other action relative thereto. By request of DO-IT. The Board of Selectmen supports this Article (3/2). The Budget Advisory Committee supports this Article. This is a Special Warrant Article in accordance with RSA 32. This article has an **estimated tax impact of 2 cents**.

#### **ARTICLE 19 - Pumpkin Festival, Plantings, and Holiday Decorations - \$20,000**

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) for Pumpkin Festival support: \$15,500 by Public Works, Police, Fire, and Ambulance Departments; \$1,500 for the purchase and planting of flowers for the Oval and Stone Bridge areas; \$3,000 for the purchase of lights, garland, etc. for holiday decorations, or take any other action relative thereto. The Board of Selectmen supports this Article (4/0/1). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This Article has an **estimated tax impact of 2 cents**.

#### **ARTICLE 20 – Summer Band Concerts - \$9,000**

To see if the Town will vote to raise and appropriate the sum of Nine Thousand Dollars (\$9,000) for the purpose of holding the traditional summer evening Band Concerts (\$6000 bands, \$2000 sound system, \$1000 crossing detail), or take any other action relative thereto. The Board of Selectmen supports this Article (4/1). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This Article has an **estimated tax impact of 1 cent**.

#### **ARTICLE 21 – Memorial, Veterans & Labor Day Parade Town Support - \$5,000**

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for town support to the Memorial, Veterans and Labor Day Parades by Public Works, Police Department and other Town departments with only the aforementioned departmental support costs associated with the provision of these services to be charged against this appropriation, or take any other action relative thereto. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This Article has an **estimated tax impact of less than 1 cent**.

#### **ARTICLE 22 – Fire Works - \$10,000**

To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the purpose of providing a 4<sup>th</sup> of July type fireworks display at a time and location to be determined by the Board of Selectmen, or take any other action relative thereto. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This Article has an **estimated tax impact of 1 cent**.

#### **ARTICLE 23 – Scout House Lease - \$0**

To see if the Town will vote to authorize the Selectmen to enter into a seven-year lease with the Ricciardi Hartshorne Post 23 of the American Legion to utilize the small wooden structure at Shepard Park as a meeting house for scouting activities, on such terms and conditions as are acceptable to the Selectmen, or take any other action relative thereto. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This is a Special Article in accordance with RSA 32. This Article has an **estimated tax impact of NO cents**.

#### **ARTICLE 24 – Town Forest Land – Lee An Drive - \$0**

To see if the Town will vote to establish as town forest land, in accordance with RSA 31:110, Town-owned Parcels A, B and C as identified on the "Open Space Subdivision Plan, Tax Map Parcels 8-70-6 to 8-79-15 and 9-20 to 9-25, Lawrence Benjamin, Milford, NH" dated September 25, 2000, revised November 20, 2003, Plan #33147, and to consolidate said parcels with Map 8 Lot 92 which is part of the Mayflower Hill Town Forest. The Conservation Commission supports this article. The Board of Selectmen supports this Article (5/0). The Budget Advisory Committee supports this Article. This article has an **estimated tax impact of NO cents**.

#### **ARTICLE 25 – Veterans’ Exemption – By Petition**

To see if the Town of Milford will increase the veterans’ exemption from \$100 to \$500. The Board of Selectmen does not support this Article (3/2). The Budget Advisory Committee does not support this Article. This article has an **estimated tax impact of 23 cents** (this equates to an appropriation of approximately \$187,900).

#### **ARTICLE 27 – End of Meeting**

To transact any other business that may legally come before this meeting.

**NOTE: The approximate total impact of these Warrant Articles, when you take into account the aggregate of appropriations, revenues, overlay, credits and changes in assessments, equals approximately 25 cents.**